

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michel t al.

Docket: 1999DE132

Serial No.: 09/722,760

Group Art Unit: 1753

Filed: 11/27/2000

Examiner: Dote, Janis L.

For: Use of Salt-Like Structured Silicas as Control Agents

ELECTION UNDER 35 U.S.C. § 121Assistant Commissioner of Patents
Washington, D.C. 20231Official
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6/w.m.
3/8/02

Dear Sir:

In response to the Office Action mailed February 11, 2002, please enter the following election.

The Office states that claims 1-11, 14, and 15 are generic to a plurality of disclosed patentably distinct species comprising distinct products and distinct processes to make distinct products. The Office requires Applicants to elect one of the following species:

- (1) an electrophotographic toner or developer;
- (2) a powder or powder coating;
- (3) an electret fiber material; and
- (4) an electrostatic separation process.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a) and 1.10

I hereby certify that this correspondence is, on the date shown below, being transmitted by facsimile to the Assistant Commissioner for Patents, (Fax No. (703) 872-9310 [Group 1753] (2 pages)

Vicki L. Sgro: Date: March 5, 2002

Attorney's Docket: 1999DE132
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For prosecution in this application, Applicants elect species (1), an electrophotographic toner or developer, without traverse.

The Office also requires Applicants to name an ultimate species of invention. Applicants name for prosecution in this application the ultimate species of bentonite and distearyldimethylammonium, found, *inter alia*, in preparation example 1 on page 30, 31 of the specification.

The Office requires Applicants to identify all claims that read on the ultimate elected species of invention. Claims 1-6, 9, 10, 14 and 15 read on the ultimate elected species.

The Office also requires Applicants to identify whether compound claims 12 and 13 read on the uniquely identified salt like structured silicate. Claims 12 and 13 do not read on the ultimate elected species.

Respectfully submitted,


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